## REMARKS

Claims 1-15 stand rejected under 35 USC § 102(b) as being anticipated over USP 5,523,361, and also stand rejected under 35 USC § 103(a) as being obvious over the same patent.

At the outset, Applicants request clarification by the Office as to which claims stand rejected as anticipated and which claims stand rejected as obvious, since all of claims 1-15 are purported to be anticipated and obvious over the same reference. The differences between the claimed invention and the 361 reference are, and differences are not particularly pointed out in the rejection so as to provide Applicant with guidance as to which claims are purported to be obvious. By law, the same claims cannot be both anticipated and yet at the same time be different from and not disclosed by the same reference under an obviousness standard. Accordingly, clarification is requested.

In order to be fully responsive, Applicants will treat the Office Action as rejecting all claims rejected under 35 USC § 102(b), and will further point out why each differentiated feature would not have been obvious to those of ordinary skill in the art.

The claimed invention is directed to a process coating polyethylene terephthalic pellets exiting a polycondensation solid stating reactor. Among the many salient features and elements of each claim, Applicants draw the Examiner's attention to the following specific claimed elements. Claim 1 calls for contacting pellets exiting a solid stating reactor. Second, claim 1 also calls for contacting those pellets which have exited the solid stating reactor with liquid water. Third, claim 1 also calls for using water in an amount sufficient to provide pellets having a temperature within the range of about 50° to about 120° C.

The 361 patent discloses a PEN pellet coated with an alkylene carbonate to reduce the tendency of the pellets to stick together during a crystallization process *prior to* solid state polymerization. See the Abstract and the summary of the invention. The 361 patent does not anticipate claim 1-15 because it does not disclose contacting pellets *exiting* the solid stating reactor with liquid water. The closest disclosure noted by the Examiner in suggesting the application of water is found in Column 2, lines 35-49 in which the "preferred technique is to introduce the alkylene carbonate as an aqueous

solution into the solid-state polymerization vessel, add the amorphous PEN feed polymer pellets, and blend the mixture while evaporating off water." C 2, 40-45. This passage does not, however, disclose contacting pellets *exiting* the solid state polymerization vessel, nor does it disclose the application of water to the pellets exiting the solid state polymerization vessel, nor does it disclose the temperature at which the pellets should be lowered to (50° C to about 120° C), nor does it disclose the removal of water outside of the solid state polymerization vessel. Not only does this passage fail to disclose the salient features, but also nothing in 361 patent discloses the addition of water to pellets *exiting* a solid stating reactor in an amount sufficient to *lower* the temperature of the pellets within a range of about 50° C to about 120° C.

A fair reading of the 361 patent discloses that the alkylene carbonate must be applied to the PEN polyester pellets produced in a melt phase polycondensation process prior to crystallization in order to reduce the tendency of the pellets to stick together during crystallization, and after crystallization, the pellets are fed to a solid state polymerization zone at Column 2, line 62 et. seq. The 361 reference discloses the application of an aqueous solution of alkylene carbonate inside of a solid state polymerization reactor at a temperature lower than the crystallization temperature. Once this is accomplished, if a solid stating polymerization reactor is used, the pellets are fed back to the crystallization zone for crystallization, and then to a solid stating reactor to carry out the solid stating reaction. Whether or not the alkylene carbonate is applied inside or outside of the solid stating polymerization reactor, nowhere does the 361 reference disclose contacting pellets *exiting* the solid stating reactor with liquid *water* in amount to *lower* the temperature to *50° C* to about *120° C*.

For these reasons, the 361 reference does not anticipate claims 1-15. Moreover, claims 1-15 would not have been obvious to those of ordinary skill in the art acquainted with the teachings as 361 patent because nowhere does the 361 patent suggest using water or applying water to cool pellets exiting a solid stating polymerization reactor, nor does it suggest cooling the hot pellets exiting the solid stating polymerization reactor to a temperature in the range of 50° to 120° C.

For these reasons, Applicants respectfully request withdrawal of all rejections over the 361 reference and allowance of the same.

Respectfully submitted,

Eastman Chemical Company
P.O. Box 511
Kingsport, Tennessee 37662
Phone: (423) 229-6189
FAX: (423) 229-1239

Dennis V. Carmen
Registration No. 35,007

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Karen Taylor
Karen L. Taylor

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Date